

Message Text

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FM AMEMBASSY NEW DELHI

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INFO AMCONSUL BOMBAY

AMCONSUL CALCUTTA

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C O N F I D E N T I A L NEW DELHI 4194

E.O. 11652: GDS

TAGS: PINR, PINT, IN

SUBJECT: BIO DATA ON RAM JETHMALANI

REF: STATE 064408

1. A WELL-KNOWN LAWYER IN BOMBAY, THE 53-YEAR OLD JETHMALANI HAD BEEN ELECTED CHAIRMAN OF THE BAR VCJRIL OF INDIA IN 1970. - -, 8,\$303,\$3,5, HE RAN UNSUCCESSFULLY FOR A LOK SABHA SEAT IN RURAL MAHARASHTRA IN THE 1971 ELECTIONS. AN OUTSPOKEN AND BITTER CRITIC OF MRS. GANDHI, JETHMALANI USED EVERYPLATFORM HE COULD FIND TO ATTACK THE PRIME MINISTER AND HER EMERGENCY MEASURES. AFTER AN INFLAMMATORY SPEECH BEFORE A LAWYERS GROUP IN KERALA IN JANUARY 1976, THE LOCAL DISTRICT MAGISTRATE ISSUED A WARRANT FOR HIS DETENTION. HE APPEALED THE CASE AND OBTAINED A STAY ORDER FROM THE BOMBAY HIGH COURT IN MARCH. HOWEVER, SHORTLY AFTER THE SUPREME COURT'S DECISION IN APRIL OF THAT YEAR UPHOLDING THE GOVT'S RIGHT TO DETAIN PERSONS UNDER MISA WITHOUT DIVULGING THE GROUNDS, JETHMALANI FLED INDIA AND EVENTUALLY WOUND UP IN THE UNITED STATES. IN AUGUST HE WAS GRANTED POLITICAL ASYLUM IN THE U.S. --THE FIRST SUCH CASE INVOLVING AN INDIAN CITIZEN-- AND BEGAN TEACHING LAW AT WAYNE STATE UNIVERSITY IN DETROIT.

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2. THE INDIAN BAR COUNCIL VOTED TO REMOVE JATHMALANI FROM ITS CHAIRMANSHIP IN SEPTEMBER. WHILE IN THE U.S. HE CONTINUED HIS ANTI-GOI ACTIVITIES AND IN OCTOBER SENT A LETTER ON BEHALF OF "INDIANS FOR DEMOCRACY" TO ALL MP'S URGING THEM TO POOSE THE 42ND CONSTITUTION AMENDMENT BILL. FOLLOWING MRS. GANDHI'S ANNOUNCEMENT OF ELECTIONS EARLY IN 1977, JETHMALANI RETURNED TO INDIA AND CON-TESTED A LOK SABHA SEAT FROM BOMBAY. HIS BASIC CAMPAIGN ISSUE

WAS THE RESTORATION OF BASIC FREEDOMS AND CIVIL RIGHTS AND HE DEFEATED HIS CONGRESS OPPONENT, LAW MINISTER GOKHALE, BY A WIDE MARGIN (93,000 VOTES).

3. RAMCHAND BOOLCHAND JETHMALANI WAS BORN IN SHIKARPUR, SIND (NOW IN PAKISTAN) ON SEPTEMBER 14, 1923, AND CAME TO BOMBAY AFTER THE PARTITION. HE IS A VERY SUCCESSFUL ADVOCATE IN BOTH THE BOMBAY HIGH COURT AND THE SUPREME COURT. HE IS ALSO AN INTERNATIONAL LAWYER AND HAS REPRESENTED INDIA AT A NUMBER OF INTERNATIONAL CONFERENCES RELATING TO LAW. HE IS ALSO WELL KNOWN FOR HIS LEGAL DEFENSES OF THOSE WHO HAVE BEEN CHARGED WITH VIOLATING VARIOUS ECONOMIC LAWS IN THE LAST HALF DOZEN YEARS. HE HAS THE REPUTATION OF BEING A RESOLUTE DEFENDER OF INDIVIDUAL CIVIL LIBERTIES AND IS REPORTED TO BE A GOOD SPEAKER ON A PLATFORM. JETHMALANI IS A HINDU WHO SPEAKS EXCELLENT ENGLISH. WE UNDERSTAND HE HAS TWO WIVES WHICH IS UNUSUAL BUT PERMISSIBLE UNDER THE HINDU MARRIAGE CODE. HE HAS FOUR CHILDREN: ONE DAUGHTER IS A DOCTOR IN THE U.S; AND ANOTHER IS A LAWYER IN BOMBAY WHO HAS BEEN ONE OF THE DEFENSE ATTORNEYS FOR GEORGE FERNANDES IN THE BARODA DYNAMITE CASE. ONE SON IS STUDYING AT OXFORD, WHILE THE OTHER IS A MEDICAL STUDENT IN MONTREAL. HE IS ANHONORARY CITIZEN OF DALLAS, TEXAS.

4. FYI: EMBASSY IS CURRENTLY UPDATING BIO INFO ON APPROXIMATELY 25 POSSIBLE CANDIDATES FOR INDIAN CABINET POSTS FROM AMONG JANATA PARTY MP'S AND WILL PROVIDE BIO DATA AS QUICKLY AS POSSIBLE ON NEW CABINET MEMBERS AS THEY ARE NAMED
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